

OCT -7 2008

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION

U.S. DISTRICT COURT  
W. DIST. OF N.C.

1:07cr3

UNITED STATES OF AMERICA, )

Vs. )

JOHN A. SMITH. )  
\_\_\_\_\_ )

**ORDER**

By previous Order, defendant's reporting date was stayed pending the filing of a motion under Rule 35(b), Federal Rules of Criminal Procedure. It appearing that a Rule 35 motion has not been filed, the stay is **LIFTED**, and defendant shall report for service of sentence as instructed by the Bureau of Prisons or the United States Marshal.

The Clerk is directed to send a copy of this Order to the Bureau of Prisons, the United States Marshal, the United States Pretrial Services Office, and all counsel of record.

October 6, 2008  
Asheville, N.C.

  
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**T. S. ELLIS, III**  
**UNITED STATES DISTRICT JUDGE**